

2005 DRAFTING REQUEST

Bill

Received: **09/29/2004**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-8219**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0113 -

Topic:

Cash assistance under W-2 for pregnant woman with no other children

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 10/14/2004	wjackson 10/30/2004		_____			State
/P1			pgreensl 11/01/2004	_____	sbasford 11/01/2004		State
/1	pkahler 01/26/2005	wjackson 01/26/2005	pgreensl 01/27/2005	_____	sbasford 01/27/2005		State
/2	pkahler 01/27/2005	chanaman 01/27/2005 wjackson 01/27/2005	rschluet 01/27/2005	_____ _____ _____	lemery 01/27/2005		

FE Sent For:

<END>

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/1	pkahler 01/26/2005	wjackson 01/26/2005	pgreensl 01/27/2005		sbasford 01/27/2005		

FE Sent For:

12WJ 1/27

127
pb
<END>

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/?	pkahler 10/14/2004	wjackson 10/30/2004					State
/P1		11/01/2004	pgreensl 11/01/2004		sbasford 11/01/2004		

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<END>

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May Contact:

Addl. Drafters:

Subject: **Public Assistance - Wis works**

Extra Copies:

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Topic:

Cash assistance under W-2 for pregnant woman with no other children

Instructions:

See Attached

Drafting History:

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/?	pkahler	/pl WLj 10/30	1/1 p8	1/1 p8/ch			

FE Sent For:

<END>

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: W-2 Cash Assistance for Pregnant Women with No Other Children
- Tracking Code: (Assigned by Government Operations Team) BB0113
- SBO team: Education
- SBO analyst: Erin Fath
 - Phone: 266-8219
 - Email: erin.fath@doa.state.wi.us
- Agency acronym: DWD
- Agency number: 445

Date: September 29, 2004
To: Steve Miller
From: Erin Fath EF
Subject: Statutory Language Request

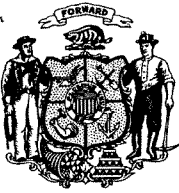
DIN 5510: W-2 Cash Assistance for Pregnant Women with No Other Children

Amend the state statutes as follows:

- ✓ 1. W-2 non-financial eligibility requirements – include as eligible for W-2 women who have no other custodial children but who are in their 3rd trimester of a medically verified pregnancy:
 - ✓ • Specifically, a pregnancy that has been determined to be medically at-risk and which therefore renders the woman unable to participate in the workforce, as supported by medical documentation.
 - This provision should apply only to "single" women (we'll have to discuss the definition of that – it may go beyond just "unmarried").
- ✓ 2. Women in this category would be eligible for a W-2 payment of \$673 per month.
- ✓ 3. At this point, there is no intent to require women in this category to engage in any kind of work activity, or any other activity, as a condition of eligibility.
- ✓ 4. W-2 non-custodial and minor and other custodial parents – amend s.49.159 (4) of the state statutes [pregnant women] to be consistent with the changes requested for s.49.145 (2)(a).
- 5. Any other changes as necessary to retain consistency with this new provision; the only sections I identified were s.49.145 (2)(a) and s.49.159 (4).
- 6. Make the new provision effective January 1, 2006, with the new law first applying to those persons who are newly determined eligible for W-2 on or after January 1, 2006.

If you have any questions, please call me at 6-8219, or send me an email at erin.fath@doa.state.wi.us.

Thank you.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0334/7

PJK:/.....

WLj

DOA:.....Fath, BB0113 - Cash assistance under W-2 for pregnant woman
with no other children ✓

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION ✓

J-note

do not
you cat

1 AN ACT; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

WISCONSIN WORKS ✓

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be

Under current law, one of the eligibility requirements for the Wisconsin Works (W-2) program is being a custodial parent. A person who meets all of the eligibility requirements and who is the custodial parent of a child who is 12 weeks old or less may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. This bill provides that an unmarried woman who would be eligible for W-2 except that she is not a custodial parent may also receive a monthly grant of \$673 and not be required to work in a W-2 employment position if she is in the third trimester of a medically verified pregnancy that is at risk and that renders the woman unable to participate in the workforce.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 49.148 (1m) (title) ^X of the statutes is amended to read:

2 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

3 History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

3 **SECTION 2.** 49.148 (1m) (a) ^X of the statutes is renumbered 49.148 (1m) (a) (intro.)

4 and amended to read:

5 49.148 (1m) (a) (intro.) ^{↓↓} ~~A~~ Any of the following may receive a monthly grant of
6 \$673. [✓]

7 1. An individual who meets the eligibility requirements under s. 49.145 (2) and [✓]
8 [✓] (3) and who is a custodial parent of a child who is 12 weeks old or less and who meets
9 the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant
10 of ~~\$673.~~ unless another adult member of the custodial parent's Wisconsin works
11 Works group is participating in, or is eligible to participate in, a Wisconsin works
12 Works employment position or is employed in unsubsidized employment, as defined
13 in s. 49.147 (1) (c).

14 (bm) A Wisconsin ~~works~~ Works agency may not require a participant under this
15 subsection to participate in any employment positions.

16 (c) 1. Receipt of a grant under this subsection by a participant under par. (a)
17 [✓] 1. does not constitute participation in a Wisconsin ~~works~~ Works employment position
18 for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (e), (4) (b) or (5)
19 (b) 2. if the child is born to the participant not more than 10 months after the date
20 that the participant was first determined to be eligible for assistance under s. 49.19
21 or for a Wisconsin ~~works~~ Works employment position.

22 History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

22 **SECTION 3.** 49.148 (1m) (a) 2. ^X of the statutes is created to read:

23 49.148 (1m) (a) 2. An ^{unmarried} woman who would be eligible under s. 49.145 [✓]
24 except that she is not a custodial parent of a dependent child and who is in the 3rd

1 trimester of a pregnancy that is medically verified and that is shown by medical
2 documentation to be at risk and ~~to render~~⁹ ~~that renders~~ the woman unable to participate in the
3 workforce.

4 **SECTION 4.** 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c) 2. and
5 amended to read:

6 49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant
7 under par. (a) 1. constitutes participation in a Wisconsin ~~works~~ Works employment
8 position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (e), (4)
9 ~~(b), or (5) (b) 2.~~ if the child is born to the participant more than 10 months after the
10 date that the participant was first determined to be eligible for assistance under s.
11 49.19 or for a Wisconsin ~~works~~ Works employment position unless the child was
12 conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in
13 which the mother did not indicate a freely given agreement to have sexual
14 intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual
15 assault has been reported to a physician and to law enforcement authorities.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

16 **SECTION 5.** 49.148 (1m) (c) (intro.) of the statutes is created to read:

17 49.148 (1m) (c) ^(intro.) For purposes of the time limits under s. 49.145 (2) (n) or 49.147
18 (3) (c), (4) (b), or (5) (b) 2., all of the following apply:

19 **SECTION 6.** 49.148 (1m) (c) 3. of the statutes is created to read:

20 49.148 (1m) (c) 3. Receipt of a grant under this subsection by a participant
21 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
22 position.

23 **SECTION 7.** 49.159 (4) of the statutes is amended to read:

49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically verified, who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child, and who does not satisfy the requirements under s. 49.148 (1m) (a) 2. is eligible for employment training and job search assistance services provided by the Wisconsin ~~works~~ Works agency.

History: 1995 a. 289; 1997 a. 27.

SECTION 9454. Effective dates; workforce development.

(1) WISCONSIN WORKS GRANTS FOR PREGNANT WOMEN. The treatment of sections 49.148 (1m) (title), (b), and (c) (intro.) and 3. and 49.159 (4) of the statutes, the renumbering and amendment of section 49.148 (a) of the statutes, and the creation of section 49.148 (1m) (a) 2. of the statutes take effect on January 1, 2006.

(END)

1-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/8dn

PJK:l.....

Wj

Erin:

I didn't include an ~~Initial~~ ~~Applicability~~ provision because women who would be eligible for grants under proposed s. 49.148 (1m) (a) 2. would not have been eligible for W-2 before the effective date.

As we discussed, women who are eligible for grants under proposed s. 49.148 (1m) (a) 2. are not, under this draft, eligible for W-2 under s. 49.145, although they would become eligible under s. 49.145 once the child is born.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/P1dn

PJK:wlj:pg

November 1, 2004

Erin:

I didn't include an initial applicability provision because women who would be eligible for grants under proposed s. 49.148 (1m) (a) 2. would not have been eligible for W-2 before the effective date.

As we discussed, women who are eligible for grants under proposed s. 49.148 (1m) (a) 2. are not, under this draft, eligible for W-2 under s. 49.145, although they would become eligible under s. 49.145 once the child is born.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0334/T

PJK:wlj:pg

✓ m is run

DOA:.....Fath, BB0113 - Cash assistance under W-2 for pregnant woman
with no other children

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

D-note

do not
get cut

1 AN ACT *to*; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Insert A ✓
Under current law, one of the eligibility requirements for the Wisconsin Works (W-2) program is that a person must be a custodial parent. A person who meets all of the eligibility requirements and who is the custodial parent of a child who is 12 weeks old or less may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. This bill provides that an unmarried woman who would be eligible for W-2 except that she is not a custodial parent may also receive a monthly grant of \$673 and not be required to work in a W-2 employment position if she is in the third trimester of a medically verified pregnancy that is at risk and that renders the woman unable to participate in the workforce. *under the bill* *Insert B*

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.148 (1m) (title) of the statutes is amended to read:

49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

Please
fix comp.

SECTION 2. 49.148 (1m) (a) of the statutes is renumbered 49.148 (1m) (a) (intro.)

and amended to read:

49.148 (1m) (a) (intro.) ~~A~~ Any of the following may receive a monthly grant of \$673:

1. An individual who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is ²⁶12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of \$673, unless another adult member of the custodial parent's Wisconsin works Works group is participating in, or is eligible to participate in, a Wisconsin works Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c).

(bm) A Wisconsin works Works agency may not require a participant under this subsection to participate in any employment positions.

(c) 1. Receipt of a grant under this subsection by a participant under par. (a) 1. does not constitute participation in a Wisconsin works Works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works Works employment position.

SECTION 3. 49.148 (1m) (a) 2. of the statutes is created to read:

49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child and who is in the 3rd trimester of a pregnancy that is medically verified and ~~that is~~ shown by medical

was affected by 2005 Wisconsin
but not (direct)

Insert 2-21B

1 documentation to be at risk and ^{that} renders the woman unable to participate in the
2 workforce.

3 *please fix comp.* SECTION 4. 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c) ^{b1} and
4 amended to read:

5 49.148 (1m) (c) ^{b1} Receipt of a grant under this subsection by a participant
6 under par. (a) 1. constitutes participation in a Wisconsin works Works employment
7 position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4)

8 (b), or (5) (b) 2. if the child is born to the participant more than 10 months after the
9 *only strike* date that the participant was first determined to be eligible for assistance under s.

10 ~~49.19 or for a Wisconsin works Works employment position~~ unless the child was
11 conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in
12 which the mother did not indicate a freely given agreement to have sexual
13 intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual
14 assault has been reported to a physician and to law enforcement authorities.

15 SECTION 5. 49.148 (1m) (c) ^{b1} (intro.) of the statutes is created to read:

16 49.148 (1m) (c) ^{b1} (intro.) For purposes of the time limits under s. 49.145 (2) (n)
17 or 49.147 (3) (c), (4) (b), or (5) (b) 2., all of the following apply:

18 SECTION 6. 49.148 (1m) (c) ^{b1} of the statutes is created to read:

19 49.148 (1m) (c) ^{b1} Receipt of a grant under this subsection by a participant
20 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
21 position.

22 SECTION 7. 49.159 (4) [✓] of the statutes is amended to read:

23 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
24 verified, who would be eligible under s. 49.145 except that she is not a custodial
25 parent of a dependent child, and who does not satisfy the requirements under s.

as affected by 2005 Wisconsin Act... (this act)

Section 7. Stricken

Insert 3-2

Insert 3-14

Insert 3-17

1 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
 2 services provided by the Wisconsin works Works agency.

3 ~~SECTION 9454. Effective dates; workforce development.~~ Insert 4-4

4 ~~(1) WISCONSIN WORKS GRANTS FOR PREGNANT WOMEN.~~ The treatment of sections
 5 49.148 (1m) (title) ^{intro} (b) ^{intro} and (c) (intro.) and 3. and 49.159 (4) of the statutes, the
 6 renumbering and amendment of section 49.148 (1m) (a) ^{intro} of the statutes, ^{intro} and the
 7 creation of section 49.148 (1m) (a) 2. of the statutes take effect on January 1, 2006.

8 (END)

and (b) (intro) and 20

and ^{CS} SECTION 9354 (1) of this act
 auto ref

the amendment of section 49.148 (1m) (b) of the statutes



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0333/P2

PJK:jld:jf

note →

DOA:.....Fath, BB0112 - Extend eligibility for W-2 for custodial parent of an infant

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Insert A ↓

④ Under current law, a person who meets the eligibility requirements for the Wisconsin Works (W-2) program and who is the custodial parent of a child who is 12 weeks old or less may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. Current law also provides generally that receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits only if the child was born more than ten months after the date on which the individual was first determined to be eligible for W-2.

④ This bill changes the eligibility requirement by increasing the maximum age of the child so that the custodial parent of a child who is 26 weeks old or less may receive the monthly grant. Only if the child is 12 weeks old or less, however, may the custodial parent not be required to work in a W-2 employment position. The bill ~~also provides that~~ receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits regardless of when the child was born in relation to when the individual was first determined to be eligible for W-2.

Insert B →

Receipt of a monthly grant by a pregnant woman does not count toward the time limits.

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0334/lins
PJK:wlj:pg

INSERT 2-2

1 **SECTION ~~4~~** 49.148 (1m) (a) of the statutes is amended to read:

2 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
3 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
4 monthly grant of \$673 unless another adult member of the custodial parent's
5 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
6 works employment position or is employed in unsubsidized employment, as defined
7 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under
8 this subsection to participate in any employment positions. Receipt of a grant under
9 this subsection does not constitute participation in a Wisconsin works employment
10 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d)
11 7., (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months
12 after the date that the participant was first determined to be eligible for assistance
13 under s. 49.19 or for a Wisconsin works employment position.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

(END OF INSERT 2-2)

INSERT 2-21B

****NOTE: This is reconciled s. 49.148 (1m) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0333~~and~~ LRB-0334~~and~~ LRB-0335

(END OF INSERT 2-21B)

INSERT 3-2

14 **SECTION ~~4~~** 49.148 (1m) (b) of the statutes is amended to read:

15 49.148 (1m) (b) Receipt of a grant under this subsection constitutes
16 participation in a Wisconsin works employment position for purposes of the time
17 limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or (d) 7., (4) (b) or (5) (b) 2. if the child

Ins 3-2 contd

1 is born to the participant more than 10 months after the date that the participant
2 was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin
3 works employment position unless the child was conceived as a result of a sexual
4 assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate
5 a freely given agreement to have sexual intercourse or of incest in violation of s.
6 944.06 or 948.06 and that incest or sexual assault has been reported to a physician
7 and to law enforcement authorities.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

(END OF INSERT 3-2)

INSERT 3-14

****NOTE: This is reconciled s. 49.148 (1m) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0333 and LRB-0334 *and LRB-0335*

(END OF INSERT 3-14)

INSERT 3-17

****NOTE: This is reconciled s. 49.148 (1m) (b) (intro.). This SECTION has been
affected by drafts with the following LRB numbers: LRB-0334 and LRB-0335. ✓

(END OF INSERT 3-17)

INSERT 4-7

****NOTE: These are reconciled initial applicability and effective date provisions.
They have been affected by drafts with the following LRB numbers: LRB-0333 and
LRB-0334.

(END OF INSERT 4-7)

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.148 (1m) (a) of the statutes is amended to read:

49.148 (1m) (a) ~~A~~ An individual who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 26 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of \$673 unless another adult member of the custodial parent's Wisconsin works Works group is participating in, or is eligible to participate in, a Wisconsin works Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c).

(am) A Wisconsin works Works agency may not require a participant under ~~this subsection~~ who is a custodial parent of a child who is 12 weeks old or less to participate in any Wisconsin Works employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b), or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.

SECTION 2. 49.148 (1m) (b) of the statutes is amended to read:

49.148 (1m) (b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works Works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant

Insert 2-21A

or a participant under para (a) 20

was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

SECTION 9354. Initial applicability; workforce development.

auto ref (1) GRANTS FOR CUSTODIAL PARENT OF INFANT UNDER WISCONSIN WORKS.

a custodial parent's (a) *Eligibility.* The treatment of section 49.148 (1m) (a) (with respect to eligibility for a grant) of the statutes first applies to individuals who are determined, on the effective date of this paragraph, to be eligible for the Wisconsin Works program under sections 49.141 to 49.161 of the statutes and to be custodial parents of children who are 26 weeks old or less.

(b) *Constituting participation in employment position.* The treatment of section 49.148 (1m) (a) (with respect to receipt of grants not constituting participation in a Wisconsin Works employment position) and (b) of the statutes first applies to grants received under section 49.148 (1m) of the statutes on the effective date of this paragraph.

SECTION 9454. Effective dates; workforce development.

AND PREGNANT WOMEN (1) ELIGIBILITY OF CUSTODIAL PARENT FOR WISCONSIN WORKS BENEFITS. The

treatment of section 49.148 (1m) (a) and (b) of the statutes and SECTION 9354 (1) of this act take effect on January 1, 2006.

(END)

insert 4-4

Insert 4-4

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/1dn

PJK:wlj:pg

Erin:

This draft reconciles LRB-0333, LRB-0334, and LRB-0335. All of these drafts, except LRB-0333, should continue to appear in the compiled bill. LRB-0333, which is incorporated into LRB-0334, should be dropped from the compile.

This draft changes some of the statutory numbering that appeared in LRB-0333 and LRB-0334 to conceptually reconcile these drafts. Also, I did not repeal and recreate or amend newly created s. 49.148 (1m) (b) (intro.) to take out the reference to s. 49.147 (3) (d) 7. (trial jobs plus) because the references to that pilot project were retained (not repealed on July 1, 2007) in LRB-0335 .

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/1dn
PJK:wlj:pg

January 27, 2005

Erin:

This draft reconciles LRB-0333, LRB-0334, and LRB-0335. All of these drafts, except LRB-0333, should continue to appear in the compiled bill. LRB-0333, which is incorporated into LRB-0334, should be dropped from the compile.

This draft changes some of the statutory numbering that appeared in LRB-0333 and LRB-0334 to conceptually reconcile these drafts. Also, I did not repeal and recreate or amend newly created s. 49.148 (1m) (b) (intro.) to take out the reference to s. 49.147 (3) (d) 7. (trial jobs plus) because the references to that pilot project were retained (not repealed on July 1, 2007) in LRB-0335 .

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0334/1 2

PJK:wlj:pg

r m is run

DOA:.....Fath, BB0113 - Cash assistance under W-2 for pregnant woman
with no other children

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

D-note

Today
please

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you cut

1

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Under current law, a person who meets the eligibility requirements for the Wisconsin Works (W-2) program and who is the custodial parent of a child who is 12 weeks old or less may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. Current law also provides generally that receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits only if the child was born more than ten months after the date on which the individual was first determined to be eligible for W-2.

This bill changes the eligibility requirement by increasing the maximum age of the child so that the custodial parent of a child who is 26 weeks old or less may receive the monthly grant. Only if the child is 12 weeks old or less, however, may the custodial parent not be required to work in a W-2 employment position. The bill provides that an unmarried woman who would be eligible for W-2 except that she is not a custodial parent may also receive a monthly grant of \$673 and not be required to work in a W-2 employment position if she is in the third trimester of a medically verified pregnancy that is at risk and that renders the woman unable to participate

in the workforce. Under the bill, receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits regardless of when the child was born in relation to when the individual was first determined to be eligible for W-2. Receipt of a monthly grant by a pregnant woman does not count toward the time limits.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 49.148 (1m) (title) of the statutes is amended to read:

2 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

3 **SECTION 2.** 49.148 (1m) (a) of the statutes, as affected by 2005 Wisconsin Act

4 (this act), is renumbered 49.148 (1m) (a) (intro.) and amended to read:

5 49.148 (1m) (a) (intro.) ~~A~~ Any of the following may receive a monthly grant
6 of \$673:

7 1. An individual who meets the eligibility requirements under s. 49.145 (2) and
8 (3) and who is a custodial parent of a child who is 12 ²⁶ weeks old or less and who
9 meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly
10 grant of \$673, unless another adult member of the custodial parent's Wisconsin
11 works Works group is participating in, or is eligible to participate in, a Wisconsin
12 works Works employment position or is employed in unsubsidized employment, as
13 defined in s. 49.147 (1) (c).

14 (am) A Wisconsin works Works agency may not require a participant under this
15 subsection par. (a) 1. who is a custodial parent of a child who is 12 weeks old or less
16 or a participant under par. (a) 2. to participate in any Wisconsin Works employment
17 positions. Receipt of a grant under this subsection does not constitute participation
18 in a Wisconsin works employment position for purposes of the time limits under s.

Insert 2-2 → see next page

1 ~~49.145 (2) (n) or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2. if the child is born to the~~
2 ~~participant not more than 10 months after the date that the participant was first~~
3 ~~determined to be eligible for assistance under s. 49.19 or for a Wisconsin works~~
4 ~~employment position.~~

***NOTE: This is reconciled s. 49.148 (1m) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0333, LRB-0334, and LRB-0335.

5 **SECTION 3.** 49.148 (1m) (a) of the statutes is amended to read:

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If necessary
to keep SECTION 3
before SECTION 2.
Thanks. WLj

6 A custodial parent of a child who is 12 weeks old or less and
7 lity requirements under s. 49.145 (2) and (3) may receive a
8 73 unless another adult member of the custodial parent's
9 p is participating in, or is eligible to participate in, a Wisconsin
10 works employment position or is employed in unsubsidized employment, as defined
11 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under
12 this subsection to participate in any employment positions. Receipt of a grant under
13 this subsection does not constitute participation in a Wisconsin works employment
14 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d)
15 7., (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months
16 after the date that the participant was first determined to be eligible for assistance
17 under s. 49.19 or for a Wisconsin works employment position.

18 **SECTION 4.** 49.148 (1m) (a) 2. of the statutes is created to read:

19 49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145
20 except that she is not a custodial parent of a dependent child and who is in the 3rd
21 trimester of a pregnancy that is medically verified and shown by medical
22 documentation to be at risk and that renders the woman unable to participate in the
23 workforce.

Insert 2-2
→ is it possible to
insert to
page 7?

1 **SECTION 5.** 49.148 (1m) (b) (intro.) of the statutes is created to read:

2 49.148 **(1m)** (b) (intro.) For purposes of the time limits under s. 49.145 (2) (n) ✓
3 or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2.,[↓] all of the following apply:

 ****NOTE: This is reconciled s. 49.148 (1m) (b) (intro.). This SECTION has been
affected by drafts with the following LRB numbers: LRB-0334 and LRB-0335.

4 **SECTION 6.** 49.148 (1m) (b) of the statutes is amended to read:

5 49.148 **(1m)** (b) Receipt of a grant under this subsection constitutes
6 participation in a Wisconsin works employment position for purposes of the time
7 limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or (d) 7., (4) (b) or (5) (b) 2. if the child
8 is born to the participant more than 10 months after the date that the participant
9 was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin
10 works employment position unless the child was conceived as a result of a sexual
11 assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate
12 a freely given agreement to have sexual intercourse or of incest in violation of s.
13 944.06 or 948.06 and that incest or sexual assault has been reported to a physician
14 and to law enforcement authorities.

15 **SECTION 7.** 49.148 (1m) (b) of the statutes, as affected by 2005 Wisconsin Act
16 (this act), is renumbered 49.148 (1m) (b) 1. and amended to read:

17 49.148 **(1m)** (b) 1. Receipt of a grant under this subsection by a participant
18 under par. (a) 1.[↓] constitutes participation in a Wisconsin works Works employment
19 ~~position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or~~
20 ~~(d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months~~
21 ~~after the date that the participant was first determined to be eligible for assistance~~
22 ~~under s. 49.19 or for a Wisconsin works employment position unless the child was~~
23 conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in

1 which the mother did not indicate a freely given agreement to have sexual
2 intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual
3 assault has been reported to a physician and to law enforcement authorities.

****NOTE: This is reconciled s. 49.148 (1m) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0333, LRB-0334, and LRB-0335.

4 **SECTION 8.** 49.148 (1m) (b) 2. of the statutes is created to read:

5 49.148 (1m) (b) 2. Receipt of a grant under this subsection by a participant
6 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
7 position.

8 **SECTION 9.** 49.159 (4) of the statutes is amended to read:

9 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
10 verified, who would be eligible under s. 49.145 except that she is not a custodial
11 parent of a dependent child, and who does not satisfy the requirements under s.
12 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
13 services provided by the Wisconsin works Works agency.

14 **SECTION 9354. Initial applicability; workforce development.**

15 (1) GRANTS FOR CUSTODIAL PARENT OF INFANT UNDER WISCONSIN WORKS.

16 (a) *Eligibility.* The ~~treatment~~ of section 49.148 (1m) (a) (with respect to a
17 custodial parent's eligibility for a grant) of the statutes first applies to individuals
18 who are determined, on the effective date of this paragraph, to be eligible for the
19 Wisconsin Works program under sections 49.141 to 49.161 of the statutes and to be
20 custodial parents of children who are 26 weeks old or less.

21 (b) *Constituting participation in employment position.* The ~~requirements~~ of
22 section 49.148 (1m) (a) (with respect to receipt of grants not constituting
23 participation in a Wisconsin Works employment position) and (b) of the statutes first

and the creation of section 49.148 (1m) (b) (intro.) and 20
of the statutes

renumbering
and
amendment

apply
applies

- ① ~~applies~~ to grants received under section 49.148 (1m) of the statutes on the effective
2 date of this paragraph.

3 **SECTION 9454. Effective dates; workforce development.**

4 (1) ELIGIBILITY OF CUSTODIAL PARENTS AND PREGNANT WOMEN FOR WISCONSIN
5 WORKS BENEFITS. The treatment of sections 49.148 (1m) (title)✓ and 49.159 (4)✓ of the
6 statutes, the renumbering and amendment of section 49.148 (1m) (a)✓ and (b)✓ of the
7 statutes, the creation of section 49.148 (1m) (a) 2.✓ and (b) (intro.)✓ and 2.✓ of the
8 statutes, and SECTION 9354 (1) of this act take effect on January 1, 2006.

****NOTE: These are reconciled initial applicability and effective date provisions.
They have been affected by drafts with the following LRB numbers: LRB-0333 and
LRB-0334.

9 (END)

D. W. To

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/2dn
PJK:wlj:pg

Erin:

This redraft does not affect the reconciliations contained in the previous draft. This draft moves the amendment of s. 49.148 (1) (a) before the renumbering and amendment of that paragraph, and changes the language of the initial applicability provisions to better identify the treatments of the sections to which the provisions apply.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0334/2dn

PJK:wlj:rs

January 27, 2005

Erin:

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0334/2

PJK:wlj:rs

DOA:.....Fath, BB0113 - Cash assistance under W-2 for pregnant woman
with no other children

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Under current law, a person who meets the eligibility requirements for the Wisconsin Works (W-2) program and who is the custodial parent of a child who is 12 weeks old or less may receive a monthly grant of \$673 and may not be required to work in a W-2 employment position. Current law also provides generally that receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits only if the child was born more than ten months after the date on which the individual was first determined to be eligible for W-2.

This bill changes the eligibility requirement by increasing the maximum age of the child so that the custodial parent of a child who is 26 weeks old or less may receive the monthly grant. Only if the child is 12 weeks old or less, however, may the custodial parent not be required to work in a W-2 employment position. The bill provides that an unmarried woman who would be eligible for W-2 except that she is not a custodial parent may also receive a monthly grant of \$673 and not be required to work in a W-2 employment position if she is in the third trimester of a medically verified pregnancy that is at risk and that renders the woman unable to participate

in the workforce. Under the bill, receiving a monthly grant as the custodial parent of an infant counts toward the time limits that apply to how long an individual may receive certain benefits regardless of when the child was born in relation to when the individual was first determined to be eligible for W-2. Receipt of a monthly grant by a pregnant woman does not count toward the time limits.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 49.148 (1m) (title) of the statutes is amended to read:

2 49.148 (1m) (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

3 **SECTION 2.** 49.148 (1m) (a) of the statutes is amended to read:

4 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
5 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
6 monthly grant of \$673 unless another adult member of the custodial parent's
7 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
8 works employment position or is employed in unsubsidized employment, as defined
9 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under
10 this subsection to participate in any employment positions. Receipt of a grant under
11 this subsection does not constitute participation in a Wisconsin works employment
12 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d)
13 7, (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months
14 after the date that the participant was first determined to be eligible for assistance
15 under s. 49.19 or for a Wisconsin works employment position.

16 **SECTION 3.** 49.148 (1m) (a) of the statutes, as affected by 2005 Wisconsin Act
17 (this act), is renumbered 49.148 (1m) (a) (intro.) and amended to read:

1 49.148 (1m) (a) (intro.) ~~A- Any of the following may receive a monthly grant~~
2 ~~of \$673:~~

3 1. An individual who meets the eligibility requirements under s. 49.145 (2) and
4 (3) and who is a custodial parent of a child who is 12 26 weeks old or less and who
5 ~~meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly~~
6 ~~grant of \$673,~~ unless another adult member of the custodial parent's Wisconsin
7 works Works group is participating in, or is eligible to participate in, a Wisconsin
8 works Works employment position or is employed in unsubsidized employment, as
9 defined in s. 49.147 (1) (c).

10 (am) A Wisconsin works Works agency may not require a participant under this
11 subsection par. (a) 1. who is a custodial parent of a child who is 12 weeks old or less
12 or a participant under par. (a) 2. to participate in any Wisconsin Works employment
13 positions. ~~Receipt of a grant under this subsection does not constitute participation~~
14 ~~in a Wisconsin works employment position for purposes of the time limits under s.~~
15 ~~49.145 (2) (n) or 49.147 (3) (e) or (d) 7., (4) (b), or (5) (b) 2. if the child is born to the~~
16 ~~participant not more than 10 months after the date that the participant was first~~
17 ~~determined to be eligible for assistance under s. 49.19 or for a Wisconsin works~~
18 ~~employment position.~~

 ***NOTE: This is reconciled s. 49.148 (1m) (a). This SECTION has been affected by
 drafts with the following LRB numbers: LRB-0333, LRB-0334, and LRB-0335.

19 **SECTION 4.** 49.148 (1m) (a) 2. of the statutes is created to read:

20 49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145
21 except that she is not a custodial parent of a dependent child and who is in the 3rd
22 trimester of a pregnancy that is medically verified and shown by medical

1 documentation to be at risk and that renders the woman unable to participate in the
2 workforce.

3 **SECTION 5.** 49.148 (1m) (b) (intro.) of the statutes is created to read:

4 49.148 (1m) (b) (intro.) For purposes of the time limits under s. 49.145 (2) (n)
5 or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2., all of the following apply:

****NOTE: This is reconciled s. 49.148 (1m) (b) (intro.). This SECTION has been
affected by drafts with the following LRB numbers: LRB-0334 and LRB-0335.

6 **SECTION 6.** 49.148 (1m) (b) of the statutes is amended to read:

7 49.148 (1m) (b) Receipt of a grant under this subsection constitutes
8 participation in a Wisconsin works employment position for purposes of the time
9 limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or (d) 7., (4) (b) or (5) (b) 2. if the child
10 is born to the participant more than 10 months after the date that the participant
11 was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin
12 works employment position unless the child was conceived as a result of a sexual
13 assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate
14 a freely given agreement to have sexual intercourse or of incest in violation of s.
15 944.06 or 948.06 and that incest or sexual assault has been reported to a physician
16 and to law enforcement authorities.

17 **SECTION 7.** 49.148 (1m) (b) of the statutes, as affected by 2005 Wisconsin Act
18 (this act), is renumbered 49.148 (1m) (b) 1. and amended to read:

19 49.148 (1m) (b) 1. Receipt of a grant under this subsection by a participant
20 under par. (a) 1. constitutes participation in a Wisconsin ~~works~~ Works employment
21 position ~~for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or~~
22 ~~(d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months~~
23 ~~after the date that the participant was first determined to be eligible for assistance~~

1 ~~under s. 49.19 or for a Wisconsin works employment position~~ unless the child was
2 conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in
3 which the mother did not indicate a freely given agreement to have sexual
4 intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual
5 assault has been reported to a physician and to law enforcement authorities.

***NOTE: This is reconciled s. 49.148 (1m) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0333, LRB-0334, and LRB-0335.

6 **SECTION 8.** 49.148 (1m) (b) 2. of the statutes is created to read:

7 49.148 (1m) (b) 2. Receipt of a grant under this subsection by a participant
8 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
9 position.

10 **SECTION 9.** 49.159 (4) of the statutes is amended to read:

11 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
12 verified, who would be eligible under s. 49.145 except that she is not a custodial
13 parent of a dependent child, and who does not satisfy the requirements under s.
14 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
15 services provided by the Wisconsin works Works agency.

16 **SECTION 9354. Initial applicability; workforce development.**

17 (1) GRANTS FOR CUSTODIAL PARENT OF INFANT UNDER WISCONSIN WORKS.

18 (a) *Eligibility.* The renumbering and amendment of section 49.148 (1m) (a)
19 (with respect to a custodial parent's eligibility for a grant) of the statutes first applies
20 to individuals who are determined, on the effective date of this paragraph, to be
21 eligible for the Wisconsin Works program under sections 49.141 to 49.161 of the
22 statutes and to be custodial parents of children who are 26 weeks old or less.

(b) *Constituting participation in employment position.* The renumbering and amendment of section 49.148 (1m) (a) (with respect to receipt of grants not constituting participation in a Wisconsin Works employment position) and (b) of the statutes and the creation of section 49.148 (1m) (b) (intro.) and 2. of the statutes first apply to grants received under section 49.148 (1m) of the statutes on the effective date of this paragraph.

SECTION 9454. Effective dates; workforce development.

(1) ELIGIBILITY OF CUSTODIAL PARENTS AND PREGNANT WOMEN FOR WISCONSIN WORKS BENEFITS. The treatment of sections 49.148 (1m) (title) and 49.159 (4) of the statutes, the renumbering and amendment of section 49.148 (1m) (a) and (b) of the statutes, the creation of section 49.148 (1m) (a) 2. and (b) (intro.) and 2. of the statutes, and SECTION 9354 (1) of this act take effect on January 1, 2006.

****NOTE: These are reconciled initial applicability and effective date provisions. They have been affected by drafts with the following LRB numbers: LRB-0333 and LRB-0334.

(END)